IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

C.W.P. No.4537 of 2007
Date of Decision: 18.12.2007

Mahipat .....Petitioner

Vs.

State of Haryana and others ...Respondents

....

CORAM : HON'BLE MR.JUSTICE UMA NATH SINGH
HON'BLE MR.JUSTICE RAJIVE BHALLA

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Present : None for the petitioner.
Mr.Ashish Kapoor, Addl.A.G. Haryana.
Mr. Dinesh Malhotra, Advocate for Mr.A.K. Pathania,Advocate for HSIDC.

...

This order shall dispose of CWP Nos.4537, 4538, 4540, 4546, 4552, 4553, 4554, 4557, 9391, 9392 and 12343 of 2007.

Challenge in these writ petitions is to the notification dated 25.11.2005 issued under Section 4 and the notification dated 24.11.2006 issued under Section 6 of the Land Acquisition Act (hereinafter referred to as `the Act').

Notice of the present petitions was issued limited to the question, whether the petitioners residential structures could be accommodated in the scheme of acquisition.

No one has put in appearance on behalf of the petitioners.

Counsel for the respondents states that a similar prayer, with respect to this very acquisition, was raised in CWP Nos.1793, 1813 and 8015 of 2007. These writ petitions were dismissed vide order dated

14.12.2007 and, therefore, the houses in the present writ petitions cannot be accommodated in the scheme of acquisition.

We have perused the pleadings, as also the judgement in CWP Nos.1793, 1813 and 8015 of 2007 and are satisfied that the petitioners houses cannot be accommodated in the scheme of acquisition. The land is being acquired for the National Automative Testing and Research and Development Infrastructure Project, a premier institution, that would serve the automobile sector. The State has not released any structure except a small Samadhi.

Consequently, as the controversy in these writ petitions is squarely covered by our decision in the aforementioned writ petitions, these writ petitions are dismissed, in terms of order dated 14.12.2007 passed in CWP Nos.1793, 1813 and 8015 of 2007. No order as to costs.

(UMA NATH SINGH)
JUDGE

18.12.2007
GS

(RAJIVE BHALLA)
JUDGE